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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Elizabeth Burdette Howe,

Plaintiff,

v.

Aspen University, Inc.,

Defendant.

Case No.: 2:22-cv-00939-DGC

**STIPULATED MOTION TO AMEND
THE FIRST AMENDED CASE
MANAGEMENT ORDER**

The parties to this action jointly stipulate and move to amend the current First Amended Case Management Order [DOC 24]. The previous Board of Nursing investigation against Defendant made it difficult for the parties to engage in meaningful discovery and conduct depositions, so additional time is needed to complete depositions and subpoena records from third parties. Furthermore, the parties are attempting to resolve discovery disputes without the Court's intervention.

WHEREFORE the parties respectfully request the Court extend the current deadlines set forth in the current First Amended Case Management Order [DOC 24], to allow the parties to conduct depositions and any remaining discovery, as follows:

1. The deadline for completing fact discovery, including discovery by subpoena, shall be **August 25, 2023**.
2. All interrogatories, requests for production of documents and requests for admission shall be propounded by **July 21, 2023**.
3. Dispositive motions shall be filed no later than **September 22, 2023**.

1 4. All parties and their counsel shall meet in person and engage in good faith
2 settlement talks no later than **August 28, 2023**. Upon completion of such settlement talks,
3 and in no event later than five working days after the deadline set forth in the preceding
4 sentence, the parties shall file with the Court a joint report on settlement talks executed
5 by or on behalf of all counsel. The report shall inform the Court that good faith settlement
6 talks have been held and shall report on the outcome of such talks.

7 5. The Court will hold a conference with the parties before motions for
8 summary judgment are filed. The parties shall file the required pre-dispositive motion
9 letters with the Court on or before **August 25, 2023**, and shall call the Court the same day
10 to schedule a time for a pre-motion conference.

11 A proposed form of order is submitted herein. This stipulation is not made for the
12 purpose of delay, but solely to pursue just outcome for all parties.

13 Defense counsel has reviewed and authorized the filing of this document and the
14 proposed form of order.

15 **DATED:** June 30, 2023.

16 **UDALL SHUMWAY PLC**

JONES, SKELTON & HOCHILI, P.L.C.

17 By: /s/ David R. Schwartz
18 David R. Schwartz
19 Attorneys for Plaintiff

By: /s/ Charles M. Callahan
Charles M. Callahan
Attorneys for Defendant

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